

Notice of Allowability	Application No.	Applicant(s)	
	10/550,595	NAGAOKA ET AL.	
	Examiner	Art Unit	
	TERESA M. BONK	3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments filed on June 3, 2010.
2. ☒ The allowed claim(s) is/are 21, 25, 29, 33, 35-39, 41.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>6/30/2010</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>08062010</u> . 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|--|---|

/Teresa M. Bonk/
Examiner, Art Unit 3725

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Information Disclosure Statement

The information disclosure statement (IDS) submitted on June 30, 2010 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Kemeny on August 6, 2010.

The application has been amended as follows:

Cancel claims 15, 17, 19, 20, 23, 27, 31, 34, and 40.

In the specification on page 1, insert the following after the title:

--CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a national stage application of PCT/JP04/16922 filed November 8, 2004, which claims priority from Japanese application 2004-004816 filed on January 9, 2004, which is incorporated herein by reference in its entirety.--

Allowable Subject Matter

It is in the opinion of the examiner that the art of record neither anticipates nor renders obvious “(claims 21, 25, and 33) wherein the wire reel is provided with a flange and a round concave portion formed on a central portion of the flange, and the first to-be-detected portion is formed on the flange and the second to-be-detected portion is housed within the round concave portion...(claim 35) a pair of flanges for receiving the wire therebetween; and a boss portion formed on one of the flanges, wherein the first to-be- detected portion is formed outside the boss portion and the second to-be-detected portion is formed inside the boss portion” in combination with the rest of the claimed limitations set forth in the independent claim.

Searching by the Examiner yielded prior art as cited in the previous Office Actions. Ishizuka et al. (US Patent 5,129,725) discloses two to-be-detected portions (grid portions 1A/B) on a reel (rotating scale 1) to detect amount of rotation and counting with a control circuit [Column 17, lines 17+ - Column 18, lines 1-20, Figure 6]. Hanagasaki et al. (US Patent 5,515,887) discloses a wire reel (3) for use in a binding machine having a storing chamber with a detecting device (optical sensor 22). The combination of the above references provides no teaching nor would it have been obvious to supply the to-be-detected portions on particular locations on a reel in order to be detected by particular sensors and there is no motivation to modify the prior art since Ishizuka’s reel is a rotating scale. Therefore, it is concluded by the examiner that claims 21, 25, 29, 33, 35-39, and 41 of the present invention are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Teresa Bonk whose telephone number is 571-272-1901. The examiner can normally be reached on Monday -Friday 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on 571-272-4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Teresa M. Bonk/
Examiner, Art Unit 3725